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WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Agenda item 5

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Note by the Secretariat

Addendum

Statement of the Asian Cultural Forum on Development

The attention of the Preparatory Committee is drawn to the attached statement submitted by the Asian Cultural Forum on Development

GE.93-13007

Statement of the
Asian Cultural Forum on Development

On March 25-28, 1993, the eve of the Preparatory Meeting of Asian Governments, some 240 representatives of more than 110 non-governmental organisations (NGOs) from about 26 countries across the Asia Pacific Region put forward a detailed human rights agenda for immediate implementation in the form of the **Bangkok NGO Declaration**, the full text and summary of which are already available, as an official document of the UN (UN DOC : A/CONF/157/ASRM/4).

The NGO representatives from the Asia Pacific Region stress the following points:

i) There are several points to be commended in the Final Draft Declaration prepared by governments of Asia.

- we welcome the specific sections on the rights of women and the rights of children; we reiterate the urgent need to address women's rights in both the public and private spheres of society, in particular in the family, and urge that effective steps be taken to eradicate all practices which deny women's right to equality or self determination.

- we are relieved to find a reaffirmation of the principles in the UN Charter and the Universal Declaration on Human Rights;

- we support the reaffirmation of the universality, indivisibility and interdependence of human rights; We affirm the basis of Universality of Human Rights which afford protection to all of humanity, including women, children, minorities, workers, peasants, refugees, indigenous people, disabled and the elderly. While advocating cultural pluralism, those cultural practices which derogate from Universally accepted Human Rights, in particular women's human rights, cannot be tolerated.

- we share a concern for effective implementation of the right to development and the need arising from the situation in our region to recognise the impact of macroeconomic issues and the disastrous results of poverty, evident in the widening gap between the North and the South, the rich and the poor.

ii) We are encouraged by the recognition of NGOs in the Final Draft Declaration and the fact that governments responded to the concerted representations by so many Asia-Pacific NGOs from day 1 of the Asia Regional meeting. We urge the widest possible participation of NGO in the World Conference.

Yet the Final Declaration in several significant respects reflects the continued attempt by many Governments of the Asia-Pacific region to avoid their human rights obligations, to put the state before the people and to avoid acknowledging their obligations to account for their failures in the promotion and protection of human rights.

iii) Most disturbing is the apparent intention to restrict the right of self-determination to peoples under alien or colonial domination or foreign occupation. Again these governments have proved themselves incapable of giving proper recognition to the most fundamental rights of indigenous peoples.

iv) The fear of governments in our Asia Pacific region to account for the continued violation of human rights is evident in their attempt to give primacy to national human rights mechanisms - mechanisms which we know too well that they will direct and control themselves. This is NOT accountability and offers little hope of appropriate remedies.

v) This fear is similarly evident in the apparent attempt to limit the operations of the UN Centre for Human Rights.

vi) Given the encouragement for States to ratify international human rights instruments in the preambular paragraphs, we cannot understand the failure to give more direct effect to this call by its inclusion in the so-called operative paragraphs.

vii) In this regard we reiterate that governments must commit themselves to ratification without reservations of the major international human rights instruments, including the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and that on the Rights of the Child (these steps would be consistent with the relevant sections on these issues in the Final Declaration).

The obligations and accountability arising from ratification cannot be seen as interference in the internal affairs of States.

viii) We could not help but note that specific references to torture, freedom of expression and the lack of the rule of law have been deleted in the final draft of Bangkok Declaration. We are left to ask WHY!

ix) Further evidence of the attempt to avoid accountability for their failures to protect human rights is apparent in the specific discouragement of conditionality in relation to development assistance. We emphasize that aid must always promote and protect human rights.